

Nays—12

Aikin	Hazlewood
Blanchard	Moore
Connally	Patman
Creighton	Ratliff
Grover	Watson
Harris	Word

Absent

Berry

Absent—Excused

Jordan

Senator Strong offered the following amendment to the bill:

Amend Section 5 of S. B. No. 121 to add a new Subsection (d) to read as follows:

“(d) No employer who has an employee that lives on the premises of a business and is assigned certain working hours plus additional hours when the employee will be subject to call shall be required to pay the employee for more than the number of hours the employee actually worked or was on duty because of assigned working hours.”

The amendment was read and was adopted.

Senator Strong offered the following amendment to the bill:

Amend Subdivision (6), Subsection (b), Section 4 of S. B. No. 121 by striking the semicolon following the word “home” and adding the following:

“including any person who lives in or about the private home and furnishes personal care for any resident of the home;”

The amendment was read and was adopted.

On motion of Senator Bernal, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Record of Vote

Senator Watson asked to be recorded as voting “Nay” on the passage of the bill to engrossment.

Memorial Resolutions

S. R. No. 482—By Senator Watson: Memorial resolution for Jimmy Fox.

S. R. No. 483—By Senator Watson: Memorial resolution for William Bradford.

S. R. No. 484—By Senator Watson: Memorial resolution for Alva A. Barnard.

S. R. No. 485—By Senator Watson: Memorial resolution for William G. Ivy.

S. R. No. 486—By Senator Watson: Memorial resolution for Frank Pack.

S. R. No. 487—By Senator Christie: Memorial resolution for Frank Barron Fletcher, Sr.

Welcome and Congratulatory Resolutions

S. R. No. 479—By Senator Brooks: Extending congratulations to Dr. and Mrs. Carl Burney on their nomination as Texas “Teacher of the Year.” (Amended.)

S. R. No. 480—By Senator Herring: Extending welcome to teacher and students of Walter Prescott Webb Junior High School of Austin.

S. R. No. 481—By Senator Watson: Extending welcome to students of eighth grade of Crawford High School.

S. R. No. 488—By Senator Brooks: Extending welcome to teacher and students of Cooley Elementary School.

S. R. No. 489—By Senator Brooks: Extending welcome to teacher and sponsor and students of Queen of Peace School of Houston.

Adjournment

On motion of Senator Aikin the Senate at 12:59 o'clock p.m. adjourned until 11:00 o'clock a.m., Monday, April 14, 1969.

FORTY-NINTH DAY

(Monday, April 14, 1969)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Snelson
Hall	Strong
Harrington	Wilson
Harris	Word
Hazlewood	

Absent—Excused

Cole	Kennard
Grover	Watson

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 11, 1969, was dispensed with and the Journal was approved.

Leaves of Absence

Senator Cole was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Watson was granted leave of absence for today on account of important business on motion of Senator Bates.

Senator Kennard was granted leave of absence for today on account of important business on motion of Senator Mauzy.

Senator Grover was granted leave of absence for today on account of important business on motion of Senator Hightower.

Bill Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill:

S. B. No. 257, A bill to be entitled "An Act amending Sections 2 and 15(a), Chapter 86, Acts of the Fifty-fifth Legislature, Regular Session, 1957, which created North Central Texas Municipal Water Authori-

ty, to provide that the Authority shall contain all of the territory contained in the boundaries of the cities of Goree, Knox City and Munday in Knox County and the city of Haskell in Haskell County, etc., and declaring an emergency."

Morning Call Dispensed With

On motion of Senator Aikin, and by unanimous consent, the Morning Call was dispensed with.

Committee Substitute Senate Joint Resolution 31 on Second Reading

On motion of Senator Hightower, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. J. R. No. 31, Proposing an amendment to Section 24, Article III, Constitution of the State of Texas, relating to compensation of the lieutenant governor, the speaker, and other members of the legislature.

The resolution was read second time and passed to engrossment.

Committee Substitute Senate Joint Resolution 31 on Third Reading

Senator Hightower moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that C. S. S. J. R. No. 31 be placed on its third reading and final passage.

(Senator Word in the Chair.)

The motion prevailed by the following vote:

Yeas—26

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Snelson
Harrington	Strong
Harris	Wilson
Hazlewood	Word

Nays—1

Hall

Absent—Excused

Cole	Kennard
Grover	Watson

The Presiding Officer then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—26

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Snelson
Harrington	Strong
Harris	Wilson
Hazlewood	Word

Nays—1

Hall

Absent—Excused

Cole	Kennard
Grover	Watson

Senate Bill 743 on First Reading

By unanimous consent Senator Moore moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Snelson
Hall	Strong
Harrington	Wilson
Harris	Word
Hazlewood	

Absent—Excused

Cole	Kennard
Grover	Watson

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Moore:

S. B. No. 743, A bill to be entitled "An Act amending Article IV, Chapter 173, Acts of the 47th Legislature, 1941 (codified as Article 6687b of Vernon's Texas Civil Statutes), relating to the issuance of drivers' licenses and regulations pertaining thereto, by amending Section 25 and adding a new section providing for the issuance of an occupational license; providing for a court order relating to such occupational license; providing a penalty for violation; and declaring an emergency."

To the Committee on State Affairs.

Reports of Standing Committees

Senator Creighton by unanimous consent submitted the following report:

Austin, Texas,
April 14, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation to which was referred S. B. No. 552, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,
April 14, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred H. B. No. 539, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

WORD

CONNALLY

Senate Bill 721 on Second Reading

On motion of Senator Hightower, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 721, A bill to be entitled "An Act relating to salaries of members of the legislature; making the act contingent upon the adoption of a constitutional amendment; and declaring an emergency."

The bill was read the second time.

Senator Hightower offered the following Committee Amendment to the bill:

Amend S. B. 721 by deleting Section 2 and inserting in lieu thereof the following:

"Sec. 2. This Act shall take effect upon the adoption of the constitutional amendment proposed by Senate Joint Resolution No. 31."

The Committee Amendment was read and was adopted.

Senator Hightower offered the following amendment to the bill:

Amend S. B. 721 by deleting Section 1 and inserting in lieu thereof the following:

"Section 1. The Lieutenant Governor and Speaker of the House of Representatives shall receive an annual salary of \$20,000.00 per year. All other members of the Legislature shall receive an annual salary of \$9,800.00."

The amendment was read and was adopted.

On motion of Senator Hightower, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 721 on Third Reading

Senator Hightower moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 721 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Blanchard
Bates	Bridges
Bernal	Brooks
Berry	Christie

Connally	McKool
Creighton	Moore
Harrington	Patman
Harris	Ratliff
Hazlewood	Schwartz
Herring	Snelson
Hightower	Strong
Jordan	Wilson
Mauzy	Word

Nays—1

Hall

Absent—Excused

Cole	Kennard
Grover	Watson

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Snelson
Harrington	Strong
Harris	Wilson
Hazlewood	Word

Nays—1

Hall

Absent—Excused

Cole	Kennard
Grover	Watson

Senate Bill 552 Ordered Not Printed

On motion of Senator Patman and by unanimous consent S. B. No. 552 was ordered not printed.

(President in the Chair.)

(Senator Harrington in the Chair.)

Senate Resolution 490

Senator Herring offered the following resolution:

Whereas, The Senate is particularly pleased to have a number of distinguished visitors in our Capitol today, members of the Economic Mis-

sion of Japan to the Southern United States; and

Whereas, The Mission has been in the United States since April 1 and from Austin will go on to visit other cities in the South and then to Washington, D.C. and New York City before returning to Japan; and

Whereas, The purpose of the Mission is to promote good will and cooperation between the business communities of Japan and the United States, particularly the Southern United States, that will lead to expanded trade between the two countries; and

Whereas, The members of this group, all leaders in their nation's business and industry, are Masao Anzai, Toyosaburo Taniguchi, Koji Shindo, Masashi Isano, Kenichiro Komai, Iwao Iwanaga, Somei Iwata, Hosai Hyuga, Yutaka Egashira, Mioji Takahashi, Tomijiro Kyozaawa, Chiaki Nishiyama, Taro Kaneko, Yukichi Morita, and Akinobu Kojima, along with Special Assistants Yasushi Murazumi and Masumi Muramatsu, and a staff of assistants who are also respected members of the Japanese business community; and

Whereas, It is the wish of the Senate to welcome this distinguished delegation to the United States and particularly to the State of Texas; now therefore, be it

Resolved, By the Senate of Texas of the 61st Legislature that it does extend its most hearty welcome to the Economic Mission of Japan and express its hope for the success of the Mission in establishing even closer ties between our two countries through mutually beneficial expansion of economic relations; and be it further

Resolved, That copies of this Resolution be prepared for the members of the Mission in commemoration of their visit.

The resolution was read and was adopted.

By unanimous consent, Senator Herring presented the distinguished guests to the Members of the Senate.

Message From the House

Hall of the House of Representatives
Austin, Texas,
April 14, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 63, Granting J. B. Dormer and Owen Dormer permission to sue Van T. George, Jr. and the Veterans' Land Board of the State of Texas.

H. B. No. 713, A bill to be entitled "An Act relating to the criminal jurisdiction of the County Court of Marion County; amending Section 1, Chapter 121, Acts of the 50th Legislature, Regular Session, 1947 (Article 1970-322a, Vernon's Texas Civil Statutes); providing for the compensation and duties of the County Attorney of Marion County; relating to the composition of the 115th Judicial District; amending Section 2, Chapter 150, Acts of the 51st Legislature, Regular Session, 1949 (Article 199-115, Vernon's Texas Civil Statutes); providing for the composition of the Marion County Juvenile Board; amending Section 1, Chapter 106, Acts of the 56th Legislature, Regular Session, 1959 (Article 5139AA, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 775, A bill to be entitled "An Act relating to the election of trustees of the Fort Worth Independent School District; amending Section 8, Chapter 230, Local and Special Laws, Acts of the 39th Legislature, 1925; repealing Chapter 29, Acts of the 60th Legislature, Regular Session, 1967; and declaring an emergency.

H. B. No. 820, A bill to be entitled "An Act to remove the prohibition against certain matches, contests or exhibitions involving persons of different races; amending Section 11, Chapter 241, General Laws, Acts of the 43rd Legislature, Regular Session, 1933 (Article 614-11, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 858, A bill to be entitled "An Act relating to the sale and issuance of a patent on certain unpatented Permanent Free School Fund land in Liberty County with a reservation of all minerals along with the leasing rights to the State; and containing an emergency clause."

H. B. No. 806, A bill to be entitled "An Act creating and establishing a conservation and reclamation district

under Article 16, Section 59, Constitution of Texas, known as "Palm Valley Estates Utility District"; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the District; finding District is created for public use and benefit; conferring on District the rights, powers, privileges, authority, and functions of the general laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the State with regard to waste control; prescribing the District's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for notice of right to have an exclusions hearing; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to District and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections, and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the District, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which District is situated; providing District shall bear expenses of relocating, raising, or rerouting any highway, railroad, or utility lines or pipe lines made necessary by its exercise of the

power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit, and related matters; providing for the establishment of District offices, and related matters; providing for powers of District within and without the boundaries of District; providing for a plumbing code; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this District; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this District shall be eligible investments; providing that the Municipal Annexation Act shall have no application to the creation of this District; providing that District is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding the requirements of Article 16, Section 59(d), Constitution of Texas as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the District shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency."

H. B. No. 253, A bill to be entitled "An Act repealing Chapter 103, Acts of the 40th Legislature, Regular Session, 1927 (Article 1015b, Vernon's Texas Civil Statutes), empowering cities to enact ordinances providing for segregation of whites and Negroes; and declaring an emergency."

H. B. No. 875, A bill to be entitled "An Act creating and establishing a Conservation and Reclamation District under and essential to the purposes of Article 16, Section 59, of the Constitution of Texas, to be known as "McHard Road Municipal Utility District"; declaring the District a governmental agency and body politic and corporate; defining the boundaries; finding that the boundaries of the district form a closure; finding that all property within the District will be benefited thereby; conferring rights, powers, privileges, authorities and functions upon the District; providing for continuing supervision by the State through the Texas Water Rights Commission; providing for the

power to contract and making provision for such contracts; providing that taxes may be levied, collected and pledged to support contracts to purchase water; providing that the Regional Waste Disposal Act shall be applicable; providing that no confirmation election is necessary; providing for a hearing on exclusions; providing that the District shall use the ad valorem plan of taxation; providing for addition or annexation of land; providing for the appointment, election and powers of a board of directors and related matters; providing for compliance with Article 7880-139, V.T.C.S.; providing for the power to borrow money, issue bonds, invest surplus funds and related matters; providing for the power of eminent domain, the use of public roadways, streets, alleys and public easements and the District bearing the expense of relocation of certain properties and facilities; providing for the appointment of depositories and a system of accounts and an audit thereof; providing for district offices; providing that powers may be exercised within or without the District boundaries in contiguous or noncontiguous areas; providing for minimum price of bonds; providing that no general law, including Article 7880-77b, V.T.C.S., pertaining to dissolution shall be applicable to the District; providing for notice of elections; providing for canvassing elections; providing that the bonds of the District are eligible investments and security; providing that the Municipal Annexation Act is not applicable to the creation of the District but that Article 1182c-1, V.T.C.S., shall be applicable; finding that the requirements of Article 16, Section 59(d) of the Constitution have been accomplished; finding that the District will be carrying out an essential public function and providing that District properties and purchases are tax-free; enacting other provisions related to the aforementioned subject; providing a severability clause; and declaring an emergency."

H. B. No. 979, A bill to be entitled "An Act creating and establishing a Conservation and Reclamation District under and essential to the purposes of Article 16, Section 59, of the Constitution of Texas, to be known as 'Gulfway Utility District'; declaring the District a governmental agency and body politic and corporate; defining the boundaries; find-

ing that the boundaries of the district form a closure; finding that all property to be served by the District will be benefited thereby; conferring rights, powers, privileges, authorities and functions upon the District; providing for continuing supervision by the State through the Texas Water Rights Commission; providing for the power to contract and making provisions for such contracts; providing that no confirmation election is necessary; providing for a hearing on exclusions; providing that the District shall not have the power to impose, levy, assess or collect taxes; providing for addition or annexation of land; providing for the appointment, election and powers of a board of directors and related matters; providing for compliance with Article 7880-139, V.T.C.S.; providing for the power to borrow money, issue bonds, invest surplus funds and related matters; providing for the power of eminent domain, the use of public roadways, streets, alleys, and public easements and the District bearing the expense of relocation of certain properties and facilities; providing for the appointment of depositories and a system of accounts and an audit thereof; providing for district offices; providing that powers may be exercised within or without the District boundaries in contiguous or noncontiguous areas; providing for minimum price of bonds; providing that no general law, including Article 7880-77b, V.T.C.S., pertaining to dissolution shall be applicable to the District; providing for notice of elections; providing for canvassing elections; providing that the bonds of the District are eligible investments and security; providing that the Municipal Annexation Act is not applicable to the creation of the District but that Article 1182c-1, V.T.C.S., shall be applicable; finding that the requirements of Article 16, Section 59(d) of the Constitution have been accomplished; finding that the District will be carrying out an essential public function and providing that District properties and purchases are tax-free; enacting other provisions related to the aforementioned subject; providing a severability clause; and declaring an emergency."

H. B. No. 309, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article XVI, Section 59, Constitution of Texas, to be known

as "Glenshire Municipal Utility District" of Harris County, Texas; defining its boundaries and finding their closure; finding benefits to the land and other property in the district; prescribing its rights, powers, privileges and duties; providing that no confirmation election shall be required; providing for its governing body; authorizing the levy and assessment of taxes and adopting the ad valorem basis of taxation; authorizing the issuance and refunding of bonds and prescribing their terms and security; authorizing the investment of bond proceeds; prescribing the procedure for annexing land; providing that no exclusion hearing shall be required except under certain circumstances; requiring supervision by the Texas Water Rights Commission; requiring the district to establish an office; providing for the selection of a depository; requiring audits and a system of accounts; containing provisions that its bonds are legal investments and eligible to secure public deposits; providing that except for its creation the district shall be subject to the provisions of Article 970a and subject to the provisions of Article 1182c-1, Vernon's Texas Civil Statutes; providing that the district shall bear the sole expense of the relocation of certain facilities; containing other provisions relating to the subject; providing that the district's properties shall not be subject to taxation; providing a severability clause; finding of notice of intention to introduce this Act; and declaring an emergency."

H. B. No. 971, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as "Cedar Bayou Park Utility District"; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the District; finding District is created for public use and benefit; conferring on District the rights, powers, privileges, authority, and functions of the General Laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, where not in conflict with this Act, and adopting same by reference; providing for

continuing supervision by the Texas Water Rights Commission; stating the policy of the State with regard to waste control; prescribing the District's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for notice of right to have an exclusions hearing; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to District and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections, and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the District, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which District is situated; providing District shall bear expenses of relocating, raising, or rerouting any highway, railroad, or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit, and related matters; providing for the establishment of District offices, and related matters; providing for powers of District within and without the boundaries of District; providing for a plumbing code; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this District; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this District shall be eligible investments; provid-

ing that the Municipal Annexation Act shall have no application to the creation of this District; providing that District is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding the requirements of Article 16, Section 59(d), Constitution of Texas as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the District shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency."

H. B. No. 452, A bill to be entitled "An Act relating to the qualifications for admission to apprenticeship for a funeral director's license; amending Subdivision (a), Paragraph (2), Subsection (D), Section 3, Chapter 251, Acts of the 53rd Legislature, Regular Session, 1953, as amended; and declaring an emergency."

H. B. No. 490, A bill to be entitled "An Act providing for an additional class of counties which may establish junior college districts; amending Section 17(a), Chapter 290, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 2815h, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 491, A bill to be entitled "An Act relating to the qualifications for admission to apprenticeship for a license to practice the science of embalming; amending Part (2), Subdivision (a), paragraph (1), Subsection D, Section 3, Chapter 251, Acts of the 53rd Legislature, Regular Session, 1953, as amended; and declaring an emergency."

H. B. No. 980, A bill to be entitled "An Act providing for the authorization and issuance of general obligation bonds by any city or town and the levy and collection of taxes for the payment of the principal and interest thereof for the purpose of securing money to pay a cash judgment or decree heretofore or hereafter entered against said city or town or for which it is legally responsible and interest thereon and cost and expenses in connection therewith; providing that no election or notice of intention be required in connection therewith; providing for the maximum interest rate and maturity of said bonds and denominations there-

of; providing for the manner of issuance thereof; providing for the approval of said bonds by the Attorney General and registration by the Comptroller of Public Accounts; providing for the incontestability of said bonds; providing for refunding of said bonds and related matters; providing for a severability clause; and declaring an emergency."

H. B. No. 1064, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas known as 'Pinehurst Utility District'; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the District; finding District is created for public use and benefit; conferring on District the rights, powers, privileges, authority, and functions of the General Laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the State with regard to waste control; prescribing the District's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for notice of right to have an exclusions hearing; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to District and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections, and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for

compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the District, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which District is situated; providing District shall bear expenses of relocating, raising, or rerouting any highway, railroad, or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining 'sole expense'; providing for depositories; providing for an audit, and related matters; providing for the establishment of District offices, and related matters; providing for powers of District within and without the boundaries of District; providing for a plumbing code; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b V.T.C.S., shall not be applicable to this District; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this District shall be eligible investments; providing that the Municipal Annexation Act shall have no application to the creation of this District; providing that District is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding the requirements of Article 16, Section 59(d), Constitution of Texas as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the District shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency."

H. B. No. 1258, A bill to be entitled "An Act creating and establishing a Conservation and Reclamation District under and essential to the purposes of Article 16, Section 59, of the Constitution of Texas, to be known as 'Harris County Utility District No. 4'; declaring the District a governmental agency and body politic and corporate; defining the boundaries; finding that the boundaries of the district form a closure; finding that

all property within the District will be benefited thereby; conferring rights, powers, privileges, authorities and functions upon the District; providing for continuing supervision by the State through the Texas Water Rights Commission; providing for the power to contract and making provision for such contracts; providing that taxes may be levied, collected and pledged to support contracts to purchase water; providing that the Regional Waste Disposal Act shall be applicable; providing that no confirmation election is necessary; providing for a hearing on exclusions; providing that the District shall use the ad valorem plan of taxation; providing for addition or annexation of land; providing for the appointment, election and powers of a board of directors and related matters; providing for compliance with Article 7880-139, V.T.C.S.; providing for the power to borrow money, issue bonds, invest surplus funds and related matters; providing for the power of eminent domain, the use of public roadways, streets, alleys and public easements and the District bearing the expense of relocation of certain properties and facilities; providing for the appointment of depositories and a system of accounts and an audit thereof; providing for district offices; providing that powers may be exercised within or without the District boundaries in contiguous or noncontiguous areas; providing for minimum price of bonds; providing that no general law, including Article 7880-77b, V.T.C.S., pertaining to dissolution shall be applicable to the District; providing for notice of elections; providing for canvassing elections; providing that the bonds of the District are eligible investments and security; providing that the Municipal Annexation Act is not applicable to the creation of the District but that Article 1182c-1, V.T.C.S., shall be applicable; finding that the requirements of Article 16, Section 59(d) of the Constitution have been accomplished; finding that the District will be carrying out an essential public function and providing that District properties and purchases are tax-free; enacting other provisions related to the aforementioned subject; providing a severability clause; and declaring an emergency."

H. B. No. 250, A bill to be entitled "An Act repealing Article 2900, Re-

vised Civil Statutes of Texas, 1925, providing for separate schools for white and Negro children; and declaring an emergency."

H. B. No. 1105, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Tomball Road Utility District'; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the District; finding District is created for public use and benefit; conferring on District the rights, powers, privileges, authority, and functions of the General Laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the State with regard to waste control; prescribing the District's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for notice of right to have an exclusions hearing; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to District and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections, and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the District, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of

bonds; providing the power of eminent domain shall be limited to the county or counties within which District is situated; providing District shall bear expenses of relocating, raising, or rerouting any highway, railroad, or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit and related matters; providing for the establishment of District offices, and related matters; providing for powers of District within and without the boundaries of District; providing for a plumbing code; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this District; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this District shall be eligible investments; providing that the Municipal Annexation Act shall have no application to the creation of this District; providing that District is subject to provisions of Article 1182-c1 V.T.C.S.; determining and finding the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the district shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency."

H. B. No. 504, A bill to be entitled "An Act relating to the authority of the San Patricio County Navigation District No. 1 to acquire, maintain, and operate or contract for the operation of public airports; relating to the acquisition of federal and state grant-in-aid funds; providing for the disbursement of funds acquired; and declaring an emergency."

H. B. No. 76, A bill to be entitled "An Act pertaining to the power of the commissioners court in certain counties to adopt and enforce building codes; and declaring an emergency."

H. B. No. 1103, A bill to be entitled "An Act creating and establishing a

conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as "Cypress Creek Utility District"; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the District; finding District is created for public use and benefit; conferring on District the rights, powers, privileges, authority, and functions of the General Laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the State with regard to waste control; prescribing the District's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for notice of right to have an exclusions hearing; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to District and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and elections of directors and notice of directors elections, and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the District, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which District is situated; providing District shall bear expenses of relocating, raising, or re-routing any highway, railroad, or

utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit, and related matters; providing for the establishment of District offices, and related matters; providing for powers of District within and without the boundaries of District; providing for a plumbing code; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this District; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this District shall be eligible investments; providing that the Municipal Annexation Act shall have no application to the creation of this District; providing that District is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the District shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency."

H. B. No. 77, A bill to be entitled "An Act authorizing boards of trustees of certain common school districts, upon a majority vote of the qualified property taxpaying electors of the district, to appoint an assessor-collector of taxes and a board of equalization for such district; providing the powers and duties of such assessor-collectors and board of equalization; and declaring an emergency."

H. B. No. 251, A bill to be entitled "An Act repealing Article 1688, Revised Civil Statutes of Texas, 1925, relating to the use of libraries by different races; and declaring an emergency."

H. B. No. 765, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article XVI, Section 59, Constitution of Texas, to be known as Harris County Water Control and Improvement District No. 132 of Har-

ris County, Texas, defining its boundaries and finding their closure; finding benefits to the land and other property in the district; prescribing its rights, powers, privileges and duties; providing that no confirmation election shall be required; providing for its governing body; authorizing the levy and assessment of taxes and adopting the ad valorem basis of taxation; authorizing the issuance and refunding of bonds and prescribing their terms and security; authorizing the investment of bond proceeds; prescribing the procedure for annexing land; providing that no exclusion hearing shall be required except under certain circumstances; requiring supervision by the Texas Water Rights Commission; requiring the district to establish an office; providing for the selection of a depository; requiring audits and a system of accounts; containing provisions that its bonds are legal investments and eligible to secure public deposits; providing that except for its creation the district shall be subject to the provisions of Article 970a and subject to the provisions of Article 1182c-1, Vernon's Texas Civil Statutes; providing that the district shall bear the sole expense of the relocation of certain facilities; containing other provisions relating to the subject; providing that the district's properties shall not be subject to taxation; providing a severability clause; finding of notice of intention to introduce this Act; and declaring an emergency."

H. B. No. 390, A bill to be entitled "An Act to amend Section 1, Chapter 428, Acts of the 59th Legislature, Regular Session, 1965, by deleting Gillespie County from those counties having a special archery season thirty (30) days immediately preceding the regular open season; and declaring an emergency."

H. B. No. 645, A bill to be entitled "An Act creating Collin-Denton County Water and Sanitation District, a conservation district, under Article XVI, Section 59 of the Texas Constitution, comprising the territory contained in the cities of Celina, Frisco, and Prosper, in Collin County, and the cities of Aubrey, Little Elm, Pilot Point and Sanger, in Denton County, as the boundaries of each city existed on March 1, 1969, for the purpose of providing a source of water supply for municipal, domestic, and industrial use and diverting, im-

pounding, storing, treating, and transporting the same; and for the purpose of constructing and operating facilities; for the adoption of Chapter 97, Acts of the 60th Legislature, with reference to waste; providing for a board of directors for the government of the district; providing the means of annexing additional territory to the district; authorizing the district to obtain permits from the Texas Water Rights Commission and from owners of permits; and to make contracts for the purchase of water and to enter into contracts with cities for the collection and disposal of garbage; authorizing the district to acquire land for its purposes by condemnation; providing for relocation or other change in the facilities of certain utilities; providing that any construction contract in excess of \$5,000 should be made only after publication of notice; authorizing the district to issue bonds and providing for the payment and security thereof; providing that the bonds shall be payable either from ad valorem taxes, revenues, or a combination of taxes and revenues; authorizing the issuance of refunding bonds; authorizing the execution of a trust indenture to secure bonds payable from revenues or partly from revenues; providing for elections approving the issuance of bonds payable from taxes or partly from taxes; authorizing the district to enter into contracts with cities and others for supplying water to them; and for collecting, treating, and disposing of waste; providing for the approval of bonds issued by the district and contracts entered into by the district by the Attorney General and registration of bonds by the Comptroller of Public Accounts of the State of Texas; prescribing other powers and duties of the district; authorizing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 345, A bill to be entitled "An Act providing that certain mortgage banking institutions are subject to supervision by the Banking Commissioner of Texas; specifying the procedure, terms, and extent of the supervision and providing penalties for noncompliance; and declaring an emergency."

H. B. No. 347, A bill to be entitled "An Act relating to compensation of members of the Juvenile Board of

Coleman County; providing for the appointment and compensation of a juvenile officer; amending Chapter 57, Acts of the 57th Legislature, 1st Called Session, 1961, (Article 5139NN, Vernon's Texas Civil Statutes); and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

(President in the Chair.)

Senate Bill 200 on Second Reading

Senator Mauzy asked unanimous consent to suspend the regular order of business and take up S. B. No. 200 for consideration at this time.

There was objection.

Senator Mauzy then moved to suspend the regular order of business and take up S. B. No. 200 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Connally	Patman
Hall	Schwartz
Harrington	Wilson
Harris	Word

Nays—6

Blanchard	Ratliff
Creighton	Snelson
Hazlewood	Strong

Absent

Berry

Absent—Excused

Cole	Kennard
Grover	Watson

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 200, A bill to be entitled "An Act providing that in all actions brought to recover damages for personal injuries, injuries resulting in death, or injury to property, the contributory negligence of the person

injured, or his agent, or the owner of the property, or person having control over the property, shall not be a complete bar to the recovery of damages, but such damages shall be diminished by the jury in proportion to the contributory negligence shown; and providing that all questions of negligence and contributory negligence shall be for the jury to determine; repealing all laws, parts of laws, and rules of practice in conflict therewith; containing a saving clause; and declaring an emergency."

The bill was read second time.

Senator Mauzy offered the following Committee Amendment to the bill:

Amend Senate Bill 200 by striking all matter below the enacting clause and inserting in lieu thereof the following:

Sec. 1. "Where any person suffers death or damage as a result partly of his own fault and partly of the fault of any other person or persons, a claim in respect of that death or damage shall not be defeated by reason of the fault of the person suffering the damage, but the damages recoverable in respect thereof shall be reduced to such extent as the jury thinks just and equitable having regard to the claimant's share in the responsibility for the damage.

Where damages are recoverable by any person by virtue of this section subject to such reduction as is mentioned, the jury shall find and record the total damages which would have been recoverable if the claimant had not been at fault and the extent to which those damages are to be reduced.

Fault means negligence, breach of statutory duty as limited herein or other act or omission which gives rise to a liability in tort or would, apart from this section, give rise to the defense of contributory negligence. Provided however that the provisions of this act shall not apply to accidents, occurrences, injury or death resulting from violations of Article 6701d, Secs. 86, 87, 88 and 89, V.T.C.S.

If such claimant is found by the jury to be equally at fault, the claimant shall not recover, and the jury shall be so instructed regarding the law as herein announced."

Sec. 2. All laws and parts of laws and rules of practice in conflict herewith shall be, and the same are hereby, repealed.

Sec. 3. If any sentence, paragraph, or section of this Act shall be held invalid or unconstitutional, such holding shall not invalidate any other sentence, paragraph, or section hereof, and the Legislature hereby expressly declares that it would have passed such remaining sentences, paragraphs, and sections despite such invalidity.

Sec. 4. The fact that grave injustice is constantly being worked upon persons in this state injured in person and property by the negligence of others due to the fact that under the existing law there can be no recovery of damages by the person so suffering injury if they be in the slightest degree contributorily negligent, even though the persons causing the injury may be negligent in an extreme degree, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The Committee Amendment was read and was adopted.

Record of Votes

Senators Strong, Hazlewood, Snelson and Ratliff asked to be recorded as voting "Nay" on the adoption of the Committee Amendment.

On motion of Senator Mauzy, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Record of Votes

Senators Strong, Ratliff, Snelson and Hazlewood asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

Senate Bill 200 on Third Reading

Senator Mauzy moved that the Constitutional Rule and Senate Rule 30

requiring bills to be read on three several days be suspended and that S. B. No. 200 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Connally	Patman
Creighton	Schwartz
Hall	Strong
Harrington	Wilson
Harris	Word

Nays—4

Blanchard	Ratliff
Hazlewood	Snelson

Absent

Berry

Absent—Excused

Cole	Kennard
Grover	Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Ratliff, Creighton, Strong, Snelson and Hazlewood asked to be recorded as voting "Nay" on the final passage of the bill.

Senate Bill 384 on Second Reading

On motion of Senator Schwartz, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 384, A bill to be entitled "An Act amending Section 17a, Article 1995, Revised Civil Statutes of Texas, 1925, relating to venue in suits to enjoin certain strikes or picketing; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 384 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 384 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Schwartz
Connally	Snelson
Creighton	Strong
Hall	Wilson
Harrington	Word
Harris	

Nays—4

Blanchard	Moore
Hazlewood	Ratliff

Absent—Excused

Cole	Kennard
Grover	Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Snelson, Hazlewood, Ratliff, Moore and Aikin asked to be recorded as voting "Nay" on the final passage of the bill.

Senate Bill 411 on Second Reading

On motion of Senator Creighton, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 411, A bill to be entitled "An Act amending Section 5, Chapter 297, Acts of the 59th Legislature, Regular Session, 1965 (Section 12, Article 8280-9, V.T.C.S.), expanding the Texas Water Development Board's authority; etc.; and declaring an emergency."

The bill was read second time.

Senator Creighton offered the following Committee Amendment to the bill:

Amend "Section 12. (a) page 1, line 9 to read as follows:

"the issuance of \$3,500,000,000.00 additional Texas Water Development Bonds, the"

The Committee Amendment was read and was adopted.

Senator Creighton offered the following amendment to the bill:

Amend "Subsection (d)" of Senate Bill No. 411 by striking all of "Subsection (d)" and substituting in lieu thereof the following:

"(d) The Texas Water Development Board may also execute contracts to the full extent that such contracts are now or hereafter constitutionally authorized and not limited, for the design, management, acquisition, lease, construction, reconstruction, development, enlargement, operation and/or maintenance of any existing or proposed project. Such contracts shall include but not be limited to:

(1) contracts secured by the general credit of the State of Texas, and if so secured such contracts shall constitute general obligations of the State of Texas in the same manner and with the same effect as Texas Water Development Bonds; and provisions in said Section 49-c with respect to payment of principal and interest on State Bonds issued shall likewise apply with respect to payment of principal and interest required to be paid by such contracts;

(2) federal grants or grants from other sources;

(3) contracts which may be fully or partially secured by water purchase or repayment contracts executed by political sub-divisions of the State of Texas for purchase of water and facilities necessary to supply present and future regional and local water requirements;

(4) contracts with any person, including but not limited to the United States, local public agencies, power cooperatives, and investor owned utilities, for financing, constructing, and operating facilities to operate and deliver pumping energy required for projects; and

(5) contracts for all goods and services necessary for the design,

management, acquisition, lease, construction, reconstruction, development, enlargement, implementation, operation and/or maintenance of any existing or proposed project, or for any portion thereof.

If facilities are acquired for a term of years, such contracts may contain provisions for renewal that will protect the State's investment."

The amendment was read and was adopted.

On motion of Senator Creighton, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 411 on Third Reading

Senator Creighton moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 411 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Cole	Kennard
Grover	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 14, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has the following:

H. B. No. 642, A bill to be entitled "An Act authorizing the creation of the Permian Basin Airport Authority in Midland and Ector Counties, Texas; defining terms; providing for petition and election on the question of the creation of the authority and authorizing a tax not to exceed 75 cents on the \$100 assessed valuation; constituting the authority a body politic and corporate, governmental and public in nature; providing for the organization and meetings of the board of directors and the selection and qualifications of the members thereof; conferring powers and imposing duties on the authority and its board of directors, including the power of eminent domain, the power to adopt rules and regulations and to provide penalties for violations thereof, and other powers; providing for the assessment, levy and collection of taxes; creating a lien for taxes levied; authorizing the issuance of bonds of various types, and prescribing the conditions, terms, and provisions under and pursuant to which the same may be issued, and related matters; declaring such bonds to be free from taxation and to be subject to certain provisions of the Uniform Commercial Code; empowering the authority to purchase or otherwise acquire airport facilities and authorizing cities to sell or lease the same; providing for the assumption, refunding or payment of the obligations of any city selling an airport facility to the authority; declaring the bonds to be legally authorized investments for certain institutions; providing for bank depositories; providing for investment or reinvestment of unencumbered funds of the authority; exempting the property of the authority from taxation; prohibiting certain conduct of authority personnel and directors and providing for a penalty therefor; prohibiting the seizure of any of the property of the authority by execution, garnishment or attachment; providing for the adoption of zoning regulations; providing for the adding of additional counties to the authority; authorizing municipalities to cooperate and aid in the development of airport projects in various respects when such projects will benefit such municipalities; enacting other

provisions related to the aforementioned subjects; providing for the primary airport area; providing a severability clause; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions:

H. C. R. No. 54, Memorial resolution for Marvin C. Nichols and designating Naples Reservoir as Marvin C. Nichols Dam and Reservoir.

H. C. R. No. 84, Memorial resolution for Thomas Ramey.

H. C. R. No. 86, Extending appreciation to Texas A&M University and others for progress in oceanographic research.

H. C. R. No. 87, Commending the Ravens of San Jacinto College on an outstanding basketball season.

Senate Bill 167 on Second Reading

Senator Hall asked unanimous consent to suspend the regular order of business and take up S. B. No. 167 for consideration at this time.

There was objection.

Senator Hall then moved to suspend the regular order of business and take up S. B. No. 167 for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Patman
Blanchard	Ratliff
Brooks	Schwartz
Connally	Snelson
Creighton	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Nays—6

Bridges	Mauzy
Christie	McKool
Kennard	Moore

Absent—Excused

Cole

Grover

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 167, A bill to be entitled "An Act authorizing the commissioners court of each county within the state to expend county funds for membership fees and dues to a non-profit state association or organization of counties; and declaring an emergency."

The bill was read second time.

Senator Hall offered the following Committee Amendment to the bill:

Amend S. B. No. 167 by striking all below the enacting clause and substituting the following:

"Section 1. The commissioners court of each county within the state is authorized to approve the expenditure of county funds from the general fund for membership fees and dues assessed by a non-profit state association or organization of counties if:

(1) the membership in such association is approved by majority vote of the commissioners court;

(2) such association is established and designed for the betterment of county government and the benefit of all county officials;

(3) the expenditure authorized by this section is made in the name of the county;

(4) such association is not affiliated in any way with a labor organization.

(5) such association or any employee thereof, does not in any way, directly or indirectly, influence or attempt to influence the outcome of any legislation pending before the Legislature of the State of Texas; provided, however, that nothing herein shall be construed to prevent any agent, servant, or representative of such association from providing information for any member of the legislature, or from appearing before any committee thereof when requested to do so by said member or committee; and

(6) such association or any employee thereof does not, either directly or indirectly, make any contribution, gift or donation of any money, services or other valuable thing to any political campaign or does not en-

dorse any candidate or group of candidates for public office.

Sec. 2. In the event that any provision of this Act is violated by any association or organization supported in whole or in part by dues and fees—from tax money, a suit by any taxpayer of the governmental unit paying such fees and dues may be brought to enjoin any further expenditure of such funds.

Sec. 3. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared severable.

Sec. 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The Committee Amendment was read and was adopted.

On motion of Senator Hall, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

Question—Shall S. B. No. 167 as amended be passed to engrossment?

Pending discussion by Senator Kennard of the bill, Senator Blanchard moved the Senate take recess until 9:00 o'clock a.m. tomorrow.

The motion was lost by the following vote:

Yeas—10

Blanchard	Hightower
Christie	Kennard
Connally	Ratliff
Creighton	Schwartz
Hazlewood	Snelson

Nays—19

Aikin	Hall
Bates	Harrington
Bernal	Harris
Berry	Herring
Bridges	Jordan
Brooks	Mauzy

McKool
Moore
Patman
Strong

Watson
Wilson
Word

Absent—Excused

Cole Grover

Presentation of Guests

Senator Blanchard, by unanimous consent, presented Miss Maud Isaacks and Miss Virginia Duff, former Members of the House of Representatives, as guests of the Senate today.

Message From the House

Hall of the House of Representatives
Austin, Texas,
April 14, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 97, A bill to be entitled "An Act providing for the creation of the Bailey County Hospital District; prescribing a procedure for an election on the creation of such district and the levy of a tax not to exceed 75 cents on the \$100 valuation for its maintenance, support and the payment of indebtedness; providing for the operation and financing of said district, including the procedures it is to follow; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Reports of Standing Committee

Senator Creighton by unanimous consent submitted the following reports:

Austin, Texas,
April 14, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 712, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

CREIGHTON, Chairman.

Austin, Texas,
April 14, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 709, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

CREIGHTON, Chairman.

House Bills and Resolution on First Reading

The following bills and resolution received from the House, were read the first time and referred to the Committee indicated:

H. B. No. 77, To Committee on Education.

H. C. R. No. 63, To Committee on Jurisprudence.

H. B. No. 765, To Committee on Water and Conservation.

H. B. No. 76, To Committee on County, District and Urban Affairs.

H. B. No. 645, To Committee on Water and Conservation.

H. B. No. 979, To Committee on Water and Conservation.

H. B. No. 251, To Committee on Jurisprudence.

H. B. No. 250, To Committee on Jurisprudence.

H. B. No. 504, To Committee on County, District and Urban Affairs.

Senate Bill 167 on Second Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 167 on its second reading and passage to engrossment.

Question—Shall S. B. No. 167 as amended be passed to engrossment?

Pending discussion by Senator Kennard of the bill, Senator Aikin occupied the Chair.

(President in the Chair.)

Recess

On motion of Senator Aikin the Senate at 12:20 o'clock p.m. took recess until 1:30 o'clock p.m. today.

After Recess

The President called the Senate to order at 1:30 o'clock p.m. today.

Senate Bill 167 on Second Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 167 on its second reading and passage to engrossment.

Question—Shall S. B. No. 167 as amended be passed to engrossment?

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 309, To Committee on Water and Conservation.

H. B. No. 253, To Committee on Jurisprudence.

H. B. No. 97, To Committee on County, District and Urban Affairs.

H. B. No. 491, To Committee on State Affairs.

H. B. No. 490, To Committee on Education.

H. B. No. 1064, To Committee on Water and Conservation.

H. B. No. 1105, To Committee on Water and Conservation.

H. B. No. 1103, To Committee on Water and Conservation.

H. B. No. 347, To Committee on County, District and Urban Affairs.

H. B. No. 345, To Committee on Banking.

(Senator Connally in the Chair.)

Report of Standing Committee

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,
April 14, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 76, have had the same under consideration, and we are instructed to report it back to

the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD
CONNALLY

House Bill 76 Ordered Not Printed

On motion of Senator Berry and by unanimous consent H. B. No. 76 was ordered not printed.

House Bill 539 Ordered Not Printed

On motion of Senator Harrington and by unanimous consent H. B. No. 539 was ordered not printed.

Reports of Standing Committee

Senator Christie by unanimous consent submitted the following reports:

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 22, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Chairman.

Austin, Texas,
April 14, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 729, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

CHRISTIE, Vice-Chairman.

Senate Bill 709 Ordered Not Printed

On motion of Senator Christie and by unanimous consent S. B. No. 709 was ordered not printed.

Senate Bill 712 Ordered Not Printed

On motion of Senator Christie and by unanimous consent S. B. No. 712 was ordered not printed.

Senate Bill 729 Ordered Not Printed

On motion of Senator Christie and by unanimous consent S. B. No. 729 was ordered not printed.

Report of Standing Committee

Senator Herring by unanimous consent submitted the following report:

Austin, Texas,
April 14, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 63, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Senate Bill 167 on Second Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 167 on its second reading and passage to engrossment.

Question—Shall S. B. No. 167 as amended be passed to engrossment?

Senator Kennard offered the following amendment to the bill:

Amend S. B. 167 by striking the following words: "Be It Enacted by the Legislature of the State of Texas:"

The amendment was read.

Question—Shall the pending amendment to S. B. No. 167 be adopted?

Welcome and Congratulatory Resolutions

S. R. No. 491—By Senator Hazlewood: Extending congratulations to Spearman Lynxettes on their outstanding basketball season.

S. R. No. 492—By Senator Brooks: Extending welcome to sponsors and members of Girl Scout Troops 401 and 1651 of Seabrook and Clear Lake City.

S. R. No. 493—By Senator Herring: Extending appreciation to National Secretaries Association.

S. R. No. 494—By Senator Watson: Extending welcome to A. J. "Tony" Folsone and family of Waco.

S. R. No. 495—By Senator McKool: Extending welcome to a group from the Council of Democratic Clubs of Dallas.

Adjournment

On motion of Senator Hightower the Senate at 2:40 o'clock p.m. adjourned until 9:00 o'clock a.m. tomorrow.

APPENDIX**Sent to Governor**

April 14, 1969

S. B. No. 150
S. B. No. 165
S. B. No. 261
S. B. No. 257
S. C. R. No. 62

FIFTIETH DAY

(Tuesday, April 15, 1969)

The Senate met at 9:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday, was dispensed with, and the Journal was approved.

Morning Call Dispensed With

On motion of Senator Aikin, and by unanimous consent, the Morning Call was dispensed with.

Message From the House

Hall of the House of Representatives

Austin, Texas,
April 15, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 58, A bill to be entitled "An Act appropriating money for the support of the Judicial, Executive and Legislative Branches of the State Government, for the construction of State buildings, and for State aid to public junior colleges, for the two year period beginning September 1, 1969, and ending August 31, 1971; authorizing and prescribing conditions, limitations, rules and procedures for allocating and expending the appropriated funds; and declaring an emergency."

(With amendments.)

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Report of Standing Committee

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,
April 15, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred H. B. No. 347, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
WORD
CONNALLY

House Bill 347 Ordered Not Printed

On motion of Senator Ratliff and by unanimous consent H. B. No. 347 was ordered not printed.

Report of Standing Committee

Senator Hall by unanimous consent submitted the following report: